

## Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SSO-00 NSCE-00 INRE-00 SS-15  
NSC-05 CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00  
EB-07 INR-07 NSAE-00 EPG-02 FAA-00 TRSE-00 IO-13  
SP-02 /069 W

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O 241043Z MAY 77  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC IMMEDIATE 0000

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PASS DOT (DAVENPORT, KAMM) CAB (WEST, RODRIGUEZ, PETT)

E.O. 11652: N/A  
TAGS: EAIR, UK  
SUBJECT: US-UK CIVAIR NEGOTIATIONS: CUSTOMS ARTICLE

REF: LONDON 8346; STATE 116993

CUSTOMS WORKING GROUP (KUTZKE) MET FOR 3 HOURS MAY 23 TO  
REVIEW UK DRAFT CUSTOMS ARTICLE.

1. GROUND EQUIPMENT. U.S. STATES THAT OTHER EUROPEAN  
COUNTRIES EXEMPT GROUND EQUIPMENT, ICAO, CHICAGO CONVEN-  
TION POLICIES SUPPORTED EXEMPTION AND THAT THE PRECEDENT  
OF AN EXEMPTION WOULD BENEFIT BA IN THIRD COUNTRIES. UK  
STATED IT HAD NEVER GIVEN GROUND EQUIPMENT AS A MATTER OF  
TARIFF POLICY. THIS IS A POLICY TO PROTECT EQUIPMENT  
PROCEDED IN U.K. ANY CHANGE OF POLICY WOULD BE A MATTER  
FOR THE DEPARTMENT OF TRADE. UK REFERENCED EEC  
DISCUSSIONS ON COMMON POLICIES. ALSO NOTED THE "HIRE  
AND LOAN" REGULATIONS WHICH PERMIT WAIVER OF DUTIES ON  
INDIVIDUAL ITEMS. UK NOTED THAT IF TRADE CHANGED ITS  
POSITION IT WOULD BE NECESSARY TO DEFINE CAREFULLY  
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EQUIPMENT COVERED. US NOTED THE IMPORTANCE OF AN  
EXEMPTION FOR GROUND EQUIPMENT. UK AGREED TO DISCUSS  
THE MATTER FURTHER WITH TRADE.

2. THROUGH-PUT. US STATED THE IMPORTANCE OF THIS  
ISSUE. UK STATED THIS WAS NOT A CUSTOMS ISSUE BUT A  
LOCAL AIRPORT ISSUE. UK BELIEVES THAT ITS EXISTING

DRAFT WOULD PRECLUDE USE OF THROUGH-PUT CHARGES AS A NATIONAL REVENUE MEASURE. UK AND US AGREED TO DISCUSS THIS MATTER FURTHER WITH THE UK INDICATING ITS PREFERENCE FOR DELETING THIS POINT AND THE US INDICATING ITS PREFERENCE FOR INCLUSION. U.S. NOTED THAT THE PRECEDENT OF INCLUDING THROUGH-PUT WOULD BENEFIT BA IN NEGOTIATIONS WITH 3RD COUNTRIES.

3. LIVERY. U.K. ASKED WHETHER DUTY ON CREW LIVERY HAD BEEN A PROBLEM FOR U.S. U.K. SAID AIR CREWS WERE EXEMPT AS PERSONAL BELONGINGS BUT IT COULD NOT AGREE TO EXEMPT DOWNTOWN TICKET AGENTS OR AIRPORT AGENT UNIFORMS SINCE THOSE COULD ALL BE PURCHASED LOCALLY. U.S. STATED THAT IT WOULD REVIEW MATTER. STATE (MICKEY) AND DOT (LARSEN) ARE REQUESTED TO SUPPLY INFO ON THIS POINT BY COB MAY 25.

4. NON NATIONAL CHARGES. U.K. STATED ITS CONCERN WITH GIVING A BEST EFFORTS COMMITMENT SINCE THEY COULD PROVIDE THE EXEMPTION. U.S. STATED ITS PROBLEM WITH ANY OTHER KIND OF COMMITMENT. U.S. ALSO NOTED THAT WITHOUT THIS TYPE OF LANGUAGE U.S. WOULD NOT HAVE ANY BASIS FOR URGING STATES NOT TO TAX FOREIGN CARRIERS. U.K. SAW THE POINT AND WILL CONSIDER ADOPTING U.S. PARA 2.

5. SCOPE OF EXEMPTION. U.S. STATED ITS PREFERENCE FOR THE U.S. FORMULATION. AFTER LENGTHY ITEM BY ITEM DISCUSSION IT APPEARS THAT U.K. ACTUAL PRACTICE IS TO EXEMPT IN ACCORDANCE WITH U.S. DRAFT PROVISIONS. U.K. AGREED TO RECONSIDER ITS VIEWS ON THIS MATTER, NOTING LIMITED OFFICIAL USE

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TECHNICAL DIFFICULTIES WITH U.K. DOMESTIC LAW AND PROCEDURES RELATING TO AIRCRAFT STORES, FUEL AND SPARE S (INCLUDING ENGINES). U.K. DRAFT TRACKS DOMESTIC LAW BUT PRACTICE UNDER THE LAW IS SIMILAR TO U.S. DRAFT.

6. COMMENT: IT MAY BE POSSIBLE TO REACH AN AGREEMENT ALONG THE LINES OF U.S. DRAFT SUBJECT TO RESOLUTION OF THE GROUND EQUIPMENT ISSUE.

MILLER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CUSTOMS DUTIES, COMMITTEE MEETINGS, NEGOTIATIONS, AVIATION AGREEMENTS, MEETING REPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 24-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977LONDON08552  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770184-1050  
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**Legacy Key:** link1977/newtext/t19770524/aaaaausw.tel  
**Line Count:** 107  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 5fc0568b-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 LONDON 8346, 77 STATE 116993  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 14-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2393581  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** US-UK CIVAIR NEGOTIATIONS: CUSTOMS ARTICLE  
**TAGS:** EAIR, UK, US  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009